

SACHA BOTBOL, et al.,

: 05 Civ. 1572 (RJS) (JCF)

Plaintiffs,

: O R D E R

- against -

THE CITY OF NEW YORK, et al.,

Defendants.

JAMES C. FRANCIS IV

UNITED STATES MAGISTRATE JUDGE

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Defendants having moved by letter dated January 22, 2008 for an order dismissing certain claims and compelling discovery, it is hereby ORDERED as follows:

1. Defendants' application to dismiss the emotional distress, physical injury, and false arrest claims of plaintiff Valerie Kaur Brar is denied. However, plaintiff shall be available for a continued deposition prior to April 30, 2008 on a date agreed upon by counsel. The deposition shall be limited to questions relating to the belatedly produced mental health records, medical records, and arrest records.

2. By April 21, 2008, plaintiff Emma Lang shall produce the requested release for records of a non-RNC arrest. If there is a dispute concerning whether or how Ms. Lang should be redeposed, counsel may present the issue to me when it is ripe.


3. Defendants' application to dismiss the false arrest and emotional distress claims of Aubryn Sidle is denied. Defendants have not indicated that they made any effort to obtain his Georgia arrest record, which is likely available without a release.

However, because of Mr. Sidle's untimely production of a release for an arrest in Washington, D.C., he shall be available for continued deposition prior to April 30, 2008 on a date agreed to by counsel. The continued deposition shall be limited to questions related to belatedly produced records of non-RNC arrests. The deposition shall be conducted telephonically, with the plaintiff bearing the cost of the call.

4. By April 21, 2008 plaintiff Valerie Brar shall produce all requested documentation of economic damages as well as a release for her college records.

5. Defendants' application for a preclusion order regarding plaintiff's clothing is denied without prejudice to renewal at trial.

SO ORDERED.

  
JAMES C. FRANCIS IV  
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York  
April 4, 2008

Copies mailed this date:

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